

REMARKS

By this Amendment, claims 2 and 5 have been cancelled, and claims 1, 3, 4, 7, 9-15, 17 and 18 have been amended, leaving claims 1, 3, 4 and 6-18 pending in the application. The specification has been amended at several locations to delete descriptions of specific claims. Paragraph [0022] has been amended to describe a railing, as recited in original claim 2. In addition, a new Abstract is provided.

Reconsideration of the March 1, 2004 Office Action is respectfully requested.

1. Allowable Subject Matter

Applicants gratefully acknowledge the indication in the Office Action that claims 2-4 and 12-18 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, ¶2. Claim 1 has been amended to include features of cancelled claim 2 and thus is allowable. Claims 3 and 4 have been amended to depend from claim 1 and to address minor informalities. Support for the recitation of "a railing" in claim 3 is provided in original claim 2. Claim 12 has been rewritten in independent form. Claims 13-18 have been amended to address minor informalities. It is submitted that the amendments to at least claims 3, 4 and 11-18 do not narrow their scope. For the reasons stated below, it is respectfully submitted that the subject matter recited in claims 1, 3, 4 and 6-18 is allowable.

2. Restriction Requirement

Withdrawn claim 5 has been cancelled.

3. Rejection Under 35 U.S.C. § 112, ¶2

Based on the statements at paragraphs 7 and 8 of the Office Action, Applicants presume that claims 2-4 and 12-18 have been rejected under 35 U.S.C. § 112, ¶2, and will respond accordingly.

The claim amendments are believed to address each of the points raised in the Office Action. As suggested in the Office Action, the phrases "that the" and "that a" have been changed to "that." Claim 1 has been amended to recite that "the parallelogram being attached to the orthotic device" so as to further clarify the structural connection between the parallelogram and the orthotic device. Claim 10 has been amended to correctly recite the word "marked." In claim 14, the phrase "driven in the wheel chair" has been changed to "driven in a wheel chair" to provide antecedent basis. This phrase means that the patient is transported in a wheel chair onto the treadmill. In claim 15, the phrase "the desired curves" relates to control signals created and forwarded by the control unit to create the recited "physiological sequences of movement."

It is respectfully submitted that the claims are in compliance with 35 U.S.C. § 112, ¶2. Therefore, withdrawal of the rejection is respectfully requested.

4. Rejection Under 35 U.S.C. § 102

The Office Action rejects claims 1, 6-9 and 11 under 35 U.S.C. § 102(a) over U.S. Patent No. 5,961,541 to Ferrati. Claim 1 is believed to be allowable for reasons stated above. Thus, dependent claims 6-9 and 11 also are allowable. Therefore, withdrawal of the rejection is respectfully requested.

5. Rejection Under 35 U.S.C. § 103

The Office Action rejects claim 10 under 35 U.S.C. § 103(a) over Ferrati in view of U.S. Patent No. 5,135,469 to Castillo. Dependent claim 10 is allowable for at least the same reasons described above for claim 1. Therefore, withdrawal of the rejection is respectfully requested.

6. Conclusion

For the foregoing reasons, prompt allowance of the application is respectfully requested. Should there be a need to discuss this application, the Examiner is requested to contact Applicants' undersigned representative at the number below.

Respectfully submitted,

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